

MEMO ENDORSED**ANDREW K STAULCUP PC.**390 N BROADWAY 3RD FL
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Hon. Valerie Caproni
United States District Judge
U. S. District Court for the Southern District of New York 40 Foley Square Room 240 New
York NY 10007

**Re: *The JADE FARM LLC v DARA MIRAHANGIRY, et al.*, Case No. 22-cv-03128– Letter
Seeking a Pre-Motion Conference for Proposed Discovery Motion**

Dear Judge Moses:

We represent the Plaintiff in the above referenced matter. We write pursuant to Local Rule 37.2 and your Honor's Individual Rule 5 to request a that the Plaintiff's Exhibit C (**# (3) Exhibit Jue Lan Clientele List**) be redacted/sealed exhibits filed in Docket 146 have their original Exhibits be sealed pursuant to Honor's individual rule and the Confidentiality Order.

Background

Plaintiff filed opposition papers on December 15, 2023, to Defendants' motion for summary judgment. This is an action which one of the causes of action, involves Defense against Trade Secret Claim. The Plaintiff's Clientele list is the item misappropriated by the Defendants, and is claimed to be a trade secret by the Plaintiff. The Plaintiff is unable to file the actual list on the electronic filing system due to the file size exceeding that of the system. Given the nature of the action and what the Exhibit is Plaintiff is requesting that this Exhibit be sealed.

Exhibits to be Sealed

Plaintiff is seeking an order to Seal Exhibit C, (**# (3) Exhibit Jue Lan Clientele List**) the Plaintiff's clientele list. The Defendants have previously signed a protective order. The Plaintiff's clientele list, which is not available to the public is a confidential item. The unlawful download, and use of the Plaintiff's Clientele list which is the Plaintiff's trade secret, is one of the causes of actions in the instant action. To make the Plaintiff's clientele list public would be against Lugosch v. Pyramid Co. of Omondaga, 435 F3d 110, 119-20 (2nd Cir. 2006).

The Plaintiff in this action is fighting to prevent the use of their clientele list and find it necessary to protect their clientele list from becoming public information. The Clientele list includes names and email addresses, source of generation, preferences, etc of person's who frequent the Plaintiff's restaurant. Plaintiff has met and conferred with Defense Counsel and he consents to this sealing.

For the foregoing reasons, we respectfully request the sealing of Exhibit C, (**# (3) Exhibit Jue Lan Clientele List**) in their original form which coincide with the Exhibits in the motion filed under Docket 146.

Dated: Jericho, New York
December 18, 2023

ANDREW K STAULCUP PC

By: /s/
Andrew K. Staulcup, Esq.
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Application GRANTED. Plaintiff is directed to take Exhibit C, along with this Court Order, to Sealed Records in room 370 of the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, N.Y. 10007 to be sealed.

SO ORDERED. 12/21/2023



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE